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7 Attorney for Voncel Tate

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 VONCEL TATE,
14 Defendant.
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Case No. 2:19-cr-00111-APG-NJK

**STIPULATION TO CONTINUE
SENTENCING HEARING**
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between
17 Nicholas A. Trutanich, United States Attorney, and Brian Y. Whang, Assistant United
18 States Attorney, counsel for the United States of America, and Rene L. Valladares,
19 Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public
20 Defender, counsel for Voncel Tate, that the Sentencing Hearing currently scheduled on
21 May 13, 2020 at 10:00 a.m., be vacated and continued to a date and time convenient to the
22 Court, but no earlier than sixty (60) days.

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1 The Stipulation is entered into for the following reasons:

2 1. On March 11, 2020, the World Health Organization officially classified
3 COVID-19 a pandemic.¹ Governor Steve Sisolak declared a State of Emergency in Nevada on
4 March 12, 2020. On March 16, 2020, the CDC recommended that all in-person events
5 consisting of 10 or more people be postponed or cancelled throughout the United States.²
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7 2. As of March 24, 2020, Nevada has 278 confirmed COVID-19 cases and 4
8 deaths.³ Also, as of March 24, 2020, the new strain of coronavirus which causes COVID-19,
9 has infected over 398,107 people, leading to at least 17,454 deaths worldwide.⁴

10 3. In light of this pandemic, the growing number of infected individuals in the State
11 of Nevada and worldwide, and the CDC's recommendations, counsel request a continuance of
12 the sentencing hearing.

13 4. Additionally, defense counsel needs additional time to meet with her client to
14 discuss the Presentence Investigation Report once it is available and to prepare for sentencing.
15 Furthermore, defense counsel needs time to gather mitigation information which is relevant to
16 the sentencing disposition of this case.

17 5. The defendant is incarcerated and does not object to the continuance.

18 6. The parties agree to the continuance.
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20 ¹ *WHO Characterizes COVID-19 as a Pandemic*, World Health Organization (Mar.
21 11, 2020) at <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>.

22 ² Center for Disease Control: COVID-19 <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/> (last visited Mar. 24, 2020).
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24 ³ <https://www.reviewjournal.com/news/politics-and-government/nevada/number-of-covid-19-cases-in-nevada-climbs-to-278-1989723/>; <https://nvhealthresponse.nv.gov/> (last
25 visited Mar. 24, 2020).

26 ⁴ *Coronavirus Resource Center*, John Hopkins University (last visited Mar. 24, 2020),
<https://coronavirus.jhu.edu/map.html>.

1 This is the first stipulation to continue filed herein.

2 DATED this 24th day of March 2020.

3 RENE L. VALLADARES
4 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

5 */s/ Nisha Brooks-Whittington*
6 By _____

7 NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

/s/ Brian Y. Whang
By _____

BRIAN Y. WHANG
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 v.

7 VONCEL TATE,
8

9 Defendant.

Case No. 2:19-cr-00111-APG-NJK

ORDER

10 IT IS ORDERED that the sentencing hearing currently scheduled for Wednesday,
11 May 13, 2020 at 10:00 a.m., be vacated and continued to July 8, 2020 at the hour of 10:30 a.m.
12 in Courtroom 6C.

13 DATED this 25th day of March 2020.

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16 UNITED STATES DISTRICT JUDGE
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